

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 3
DOCKET NO.: 2008-0609-PST-E **TCEQ ID:** RN102440757 **CASE NO.:** 35709
RESPONDENT NAME: CAMPBELL OIL CO. dba Shop & Go No. 5

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input checked="" type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Shop & Go No. 5, 2035 Highway 96 Bypass, Silsbee, Hardin County</p> <p>TYPE OF OPERATION: Convenience store with sales of gasoline</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on October 6, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p style="margin-left: 20px;">TCEQ Attorney/SEP Coordinator: None</p> <p style="margin-left: 20px;">TCEQ Enforcement Coordinator: Mr. Steven Lopez, Enforcement Division, Enforcement Team 6, MC 128, (512) 239-1896; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171</p> <p style="margin-left: 20px;">Respondent: Mr. Karam Ali, President, CAMPBELL OIL CO., P.O. Box 95, Newton, Texas 75966</p> <p style="margin-left: 20px;">Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

TEXAS
 COMMISSION ON
 ENVIRONMENTAL
 QUALITY
 2008 OCT 22 11:11:48
 CHIEF CLERK'S OFFICE

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 29, 2007, February 11, 2008, and April 10, 2008</p> <p>Date of NOV/NOE Relating to this Case: August 13, 2007 and March 27, 2008 (NOE)</p> <p>Background Facts: This was a follow-up investigation to the June 29, 2007 investigation which resulted in a NOV dated August 13, 2007.</p> <p>WASTE</p> <p>1) Failure to upgrade the Stage II equipment to onboard refueling vapor recovery ("ORVR") compatible systems [30 TEX. ADMIN. CODE § 115.242(1)(C) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to maintain the Stage II equipment in proper operating condition, as specified by the manufacturer and/or any applicable California Air Resources Board Executive Order and free of defects that would impair the effectiveness of the system. Specifically, the swivel adapters were not installed on the dry break or the fill ports [30 TEX. ADMIN. CODE § 115.242(3)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to secure the Stage II equipment in a manner to prevent tampering [30 TEX. ADMIN. CODE § 115.242(8) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>4) Failure to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with Stage II equipment [30 TEX. ADMIN. CODE § 115.242(9) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$6,101</p> <p>Total Deferred: \$1,220 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$156 (remaining \$4,725 due in 35 monthly payments of \$135 each)</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Station:</p> <p>a. Upgraded the Stage II equipment to ORVR compatible systems on September 6, 2007; and</p> <p>b. Submitted documentation verifying installation of swivel adapters on the dry breakaways and fill ports on April 21, 2008.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <p>i. Begin maintaining Stage II vapor recovery system in proper operating condition, including but not limited to, securing the Stage II equipment to prevent tampering and posting operating instructions on the front of each gasoline dispensing pump;</p> <p>ii. Conduct the required annual and triennial testing of the Stage II equipment; and</p> <p>iii. Submit payment for outstanding fees, including any associated penalties and interest.</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit an amended registration to reflect the correct tank operator information; and</p> <p>c. Within 60 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions a. through b.</p>

<p>5) Failure to verify proper operation of the Stage II equipment at least once every 12 months and the Stage II vapor space manifolding and dynamic back pressure at least once every 36 months or upon major system replacement or modification, whichever occurs first. Specifically, the Stage II annual and triennial system compliance testing had not been conducted [30 TEX. ADMIN. CODE § 115.245(2) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6) Failure to notify the agency of any change or addition within 30 days from the date of the occurrence of the change or addition, or within 30 days from the date on which the owner or operator first became aware of the change or addition. Specifically, the registration was not updated to reflect the correct tank operator information [30 TEX. ADMIN. CODE § 334.7(d)(3)].</p> <p>7) Failure to pay outstanding underground storage tank fees and associated late fees for TCEQ Financial Account No. 0017662U for fiscal years 2002 through 2006 [30 TEX. ADMIN. CODE § 334.22(a) and TEX. WATER CODE § 5.702].</p>		
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Additional ID No(s): 6124



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision March 8, 2008

TCEQ

DATES	Assigned	31-Mar-2008	Screening	7-Apr-2008	EPA Due	
	PCW	17-Apr-2008				

RESPONDENT/FACILITY INFORMATION

Respondent	CAMPBELL OIL CO. dba Shop & Go No. 5		
Reg. Ent. Ref. No.	RN102440757		
Facility/Site Region	10-Beaumont	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	35709	No. of Violations	4
Docket No.	2008-0609-PST-E	Order Type	1660
Media Program(s)	Petroleum Storage Tank	Enf. Coordinator	Steven Lopez
Multi-Media		EC's Team	Enforcement Team 6
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$4,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	9% Enhancement	Subtotals 2, 3, & 7	\$405
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Notes: Enhancement for one previous NOV with same or similar violations and two NOVs for dissimilar violations.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
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	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Total EB Amounts	\$1,256	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$5,463	<i>*Capped at the Total EB \$ Amount</i>		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$4,905
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OTHER FACTORS AS JUSTICE MAY REQUIRE	24%	Adjustment	\$1,196
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated with violation no. 2.

Final Penalty Amount	\$6,101
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$6,101
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DEFERRAL	20% Reduction	Adjustment	-\$1,220
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$4,881
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Screening Date 7-Apr-2008

Docket No. 2008-0609-PST-E

PCW

Respondent CAMPBELL OIL CO. dba Shop & Go No. 5

Policy Revision 2 (September 2002)

Case ID No. 35709

PCW Revision March 8, 2008

Reg. Ent. Reference No. RN102440757

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Steven Lopez

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
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NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 9%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for one previous NOV with same or similar violations and two NOVs for dissimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 9%

Screening Date 7-Apr-2008 Respondent CAMPBELL OIL CO. dba Shop & Go No. 5 Case ID No. 35709 Reg. Ent. Reference No. RN102440757 Media [Statute] Petroleum Storage Tank Enf. Coordinator Steven Lopez Violation Number 1	Docket No. 2008-0609-PST-E <div style="text-align: right;">PCW</div> <div style="text-align: right; font-size: small;"> Policy Revision 2 (September 2002) PCW Revision March 8, 2008 </div>																														
Rule Cite(s) 30 Tex. Admin. Code § 115.242(1)(C), (3)(A), (8), (9), and Tex. Health & Safety Code § 382.085(b)																															
Violation Description <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Failed to upgrade the Stage II equipment to onboard refueling vapor recovery ("ORVR") compatible systems. Failed to maintain the Stage II equipment in proper operating condition, as specified by the manufacturer and/or any applicable California Air Resources Board Executive Order and free of defects that would impair the effectiveness of the system. Specifically, the swivel adapters were not installed on the dry break or the fill ports. Failed to secure the Stage II equipment in a manner to prevent tampering. Failed to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with Stage II equipment. </div>																															
Base Penalty \$10,000																															
>> Environmental, Property and Human Health Matrix																															
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 20%;">Major</th> <th style="width: 20%;">Moderate</th> <th style="width: 20%;">Minor</th> <th style="width: 30%;"></th> </tr> </thead> <tbody> <tr> <td>Release</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Actual</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td style="text-align: center;">x</td> <td></td> <td> Percent 10% </td> </tr> </tbody> </table>		Major	Moderate	Minor		Release					Actual					Potential		x		Percent 10%										
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Matrix Notes	Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.																														
Adjustment \$9,000																															
<div style="border: 1px solid black; width: 100px; height: 20px; margin-left: auto;"></div> \$1,000																															
Violation Events																															
<div style="display: flex; justify-content: space-between;"> <div> Number of Violation Events 1 </div> <div> Number of violation days 56 </div> </div> <div style="margin-top: 10px;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 20%;">daily</td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> <td style="width: 30%;"></td> </tr> <tr> <td></td> <td>monthly</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>quarterly</td> <td style="text-align: center;">x</td> <td></td> <td></td> </tr> <tr> <td></td> <td>semiannual</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>annual</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>single event</td> <td></td> <td></td> <td></td> </tr> </table> <div style="margin-top: 10px; text-align: right;"> Violation Base Penalty \$1,000 </div> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; text-align: center;"> One quarterly event is recommended from the investigation date of February 11, 2008 to the screening date of April 7, 2008. </div>			daily					monthly					quarterly	x				semiannual					annual					single event			
	daily																														
	monthly																														
	quarterly	x																													
	semiannual																														
	annual																														
	single event																														
Economic Benefit (EB) for this violation																															
<div style="display: flex; justify-content: space-between;"> <div> Estimated EB Amount \$56 </div> <div> Violation Final Penalty Total \$1,356 </div> </div> <div style="text-align: right; margin-top: 10px;"> This violation Final Assessed Penalty (adjusted for limits) \$1,356 </div>																															
Statutory Limit Test																															

Economic Benefit Worksheet

Respondent CAMPBELL OIL CO. dba Shop & Go No. 5
Case ID No. 35709
Reg. Ent. Reference No. RN102440757
Media Petroleum Storage Tank
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$4,113	29-Jun-2007	6-Sep-2007	0.2	\$3	\$52	\$54
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$150	11-Feb-2008	21-Apr-2008	0.2	\$0	\$2	\$2
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	11-Feb-2008	7-Jan-2008	-0.1	\$0	n/a	\$0

Notes for DELAYED costs

Actual cost to upgrade gasoline pumps to the ORVR compatible system (\$4,113). The Date Required is the investigation date. The Final Date is the date of compliance. Estimated cost to install swivel adapters (\$150). The Date Required is the investigation date. The Final Date is the date of compliance. Estimated cost to secure dry breaks and fill ports (\$50), and post operating instructions on each dispensing pump (\$50). The Date Required is the investigation date. The Final Date is the estimated date of compliance.

Avoided Costs**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$4,363

TOTAL

\$56

Screening Date 7-Apr-2008	Docket No. 2008-0609-PST-E	PCW
Respondent CAMPBELL OIL CO. dba Shop & Go No. 5		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 35709		<small>PCW Revision March 8, 2008</small>
Reg. Ent. Reference No. RN102440757		
Media [Statute] Petroleum Storage Tank		
Enf. Coordinator Steven Lopez		
Violation Number	2	
Rule Cite(s)	30 Tex. Admin. Code § 115.245(2) and Tex. Health & Safety Code § 382.085(b)	
Violation Description	<p>Failed to verify proper operation of the Stage II equipment at least once every 12 months and the Stage II vapor space manifold and dynamic back pressure at least once every 36 months or upon major system replacement or modification, whichever occurs first. Specifically, the Stage II annual and triennial compliance testing had not been conducted.</p>	
Base Penalty		\$10,000

>> Environmental, Property and Human Health Matrix

	Release		Harm			
OR		Major	Moderate	Minor		
	Actual					
	Potential	x			Percent	25%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor		
					Percent	0%

Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

Violation Events

Number of Violation Events	1	1095	Number of violation days
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	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
<small>mark only one with an x</small>	single event	x

One single event is recommended for the three-year period preceding the February 11, 2008 investigation.

Violation Base Penalty \$2,500

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	\$1,196
	Violation Final Penalty Total \$3,389
This violation Final Assessed Penalty (adjusted for limits) \$3,389	

Economic Benefit Worksheet

Respondent CAMPBELL OIL CO. dba Shop & Go No. 5
 Case ID No. 35709
 Reg. Ent. Reference No. RN102440757
 Media Petroleum Storage Tank
 Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$1,000	11-Feb-2005	11-Feb-2008	3.9	\$196	\$1,000	\$1,196
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost for annual and triennial testing of the Stage II equipment. The Date Required is three years prior to the investigation date. The Final Date is the investigation date.

Approx. Cost of Compliance

\$1,000

TOTAL

\$1,196

Screening Date 7-Apr-2008

Docket No. 2008-0609-PST-E

PCW

Respondent CAMPBELL OIL CO. dba Shop & Go No. 5

Policy Revision 2 (September 2002)

Case ID No. 35709

PCW Revision March 8, 2008

Reg. Ent. Reference No. RN102440757

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Steven Lopez

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 334.7(d)(3)

Violation Description

Failed to notify the agency of any change or addition within 30 days from the date of the occurrence of the change or addition, or within 30 days from the date on which the owner or operator first became aware of the change or addition. Specifically, the registration was not updated to reflect the correct tank operator information.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

56 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$1,000

One single event is recommended based on documentation of the violation during the February 11, 2008 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$1,356

This violation Final Assessed Penalty (adjusted for limits) \$1,356

Economic Benefit Worksheet

Respondent CAMPBELL OIL CO. dba Shop & Go No. 5
Case ID No. 35709
Reg. Ent. Reference No. RN102440757
Media Petroleum Storage Tank
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$100	11-Feb-2008	7-Jan-2009	0.9	\$5	n/a	\$5

Notes for DELAYED costs

Estimated cost to accurately prepare and submit an updated UST registration. The Date Required is the investigation date. The Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$5

Screening Date 7-Apr-2008	Docket No. 2008-0609-PST-E	PCW
Respondent CAMPBELL OIL CO. dba Shop & Go No. 5	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 35709	<small>PCW Revision March 8, 2008</small>	
Reg. Ent. Reference No. RN102440757		
Media [Statute] Petroleum Storage Tank		
Enf. Coordinator Steven Lopez		
Violation Number 4		
Rule Cite(s)	30 Tex. Admin. Code § 334.22(a) and Tex. Water Code § 5.702	
Violation Description	Failed to pay outstanding underground storage tank fees and associated late fees for TCEQ Financial Account No. 0017662U for fiscal years 2002 through 2006.	
Base Penalty		\$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm					
	Release	Major	Moderate	Minor		
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>		
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent	<input type="text" value="0%"/>

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent
<input type="text" value="0%"/>				

Matrix Notes

Adjustment

Violation Events

Number of Violation Events <input type="text"/>		Number of violation days <input type="text"/>
---	--	---

<small>mark only one with an x</small>	daily	<input type="text"/>	monthly	<input type="text"/>
	quarterly	<input type="text"/>	semiannual	<input type="text"/>
	annual	<input type="text"/>	single event	<input type="text"/>

Violation Base Penalty

No penalty is recommended because penalty and interest will be assessed at the next billing.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$0"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$0"/>	

Economic Benefit Worksheet

Respondent CAMPBELL OIL CO. dba Shop & Go No. 5
Case ID No. 35709
Reg. Ent. Reference No. RN102440757
Media Petroleum Storage Tank
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

N/A

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

N/A

Approx. Cost of Compliance

\$0

TOTAL

\$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600953178	CAMPBELL OIL CO.	Classification: AVERAGE	Rating: 2.12
Regulated Entity:	RN102440757	Shop & Go No. 5	Classification: AVERAGE	Site Rating: 6.29
ID Number(s):	PETROLEUM STORAGE TANK REGISTRATION		REGISTRATION	6124
Location:	2035 HIGHWAY 96 BYP, SILSBEE, TX, 77656		Rating Date: 9/1/2007 Repeat Violator: NO	
TCEQ Region:	REGION 10 - BEAUMONT			
Date Compliance History Prepared:	April 11, 2008			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	April 11, 2003 to April 11, 2008			

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Steven Lopez Phone: 512-239-1896

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership of the site during the compliance period? No
- If Yes, who is the current owner? N/A
- If Yes, who was/were the prior owner(s)? N/A
- When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- Any criminal convictions of the state of Texas and the federal government.
N/A
- Chronic excessive emissions events.
N/A
- The approval dates of investigations. (CCEDS Inv. Track. No.)
 - 05/28/2003 (34011)
 - 06/22/2004 (276165)
 - 07/12/2004 (272494)
 - 11/18/2004 (339319)
 - 11/06/2006 (513456)
 - 08/13/2007 (570572)
 - 03/27/2008 (617980)
- Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 07/12/2004 (272494)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter C 115.246(3)		
Description:	Failure to maintain a record of any maintenance conducted at the facility relating to Stage II.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter C 115.246(1)		
Description:	Failure to maintain on site a copy of the applicable California Air Resource Board (CARB) Executive Order.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 334, SubChapter C 334.50(d)(1)(B)(ii)		
Description:	Failure to reconcile inventory control records at least once each month, sufficiently accurate to detect a release which equals or exceeds the sum of 1.0 percent of the total substance flowthrough for the month plus 130 gallons.		
Self Report?	NO	Classification:	Minor

Citation: 30 TAC Chapter 334, SubChapter A 334.7(d)(3)
 Description: Failure to amend, update, or change registration information.
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 334, SubChapter A 334.8(c)(5)(C)
 Description: Failure to physically label all tank fill pipes according to the registration/self-certification form.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 334, SubChapter C 334.50(d)(5)(F)
 Description: Failure to conduct a geological assessment for vapor monitoring.
 Date: 11/06/2006 (513456)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 334, SubChapter C 334.50(d)(5)(F)
 Description: Failure to conduct a geological assessment for vapor monitoring.
 Date: 08/13/2007 (570572)
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.244(1)
 Description: Failure to maintain records of daily inspections of the Stage II vapor recovery system.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.244(3)
 Description: Failure to conduct monthly inspections of the Stage II vapor recovery system.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.248(1)
 Description: Failure to maintain proof of attendance and completion of the training specified in §115.248 of this title (relating to Training Requirements), with the documentation of all Stage II training for each employee to be maintained as long as that employee continues to work at the facility.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.246(3)
 Description: Failure to maintain a record of any maintenance conducted on any part of the Stage II equipment, including a general part description, the date and time the equipment was taken out of service, the date of repair or replacement, the replacement part manufacturer's information, a general description of the part location in the system (e.g., pump or nozzle number, etc.), and a description of the problem.
 Self Report? NO Classification: Major

Citation: 30 TAC Chapter 115, SubChapter C 115.242(8)
 Description: Failure to keep the Stage II vapor recovery system secure from tampering.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.242(9)
 Description: Failure to post operating instructions conspicuously on the front of each dispenser equipped with a Stage II system. These instructions shall, at a minimum, include: a clear description of how to correctly dispense gasoline using the system; and a warning against attempting to continue to refuel after initial shutoff of the system.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.242(3)(A)
 Description: Failure to maintain the Stage II vapor recovery system in proper operating condition and free of defects that would impair the effectiveness of the system, including the absence or disconnection of any component that is a part of the approved system.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.242(1)(C)
 Description: 30 TAC 115.242(1)(C), requires that all Stage II Vapor Recovery systems be compatible with Onboard Refueling Vapor Recovery (ORVR) systems on motor vehicles. Existing Stage II systems must be in compliance with this requirement by 04/01/07. The current OPW Vapor EZ Stage II Vapor Recovery System installed at the facility is not ORVR compatible and will need to be upgraded by this date.
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.245(2)
 Description: Failure to perform an successful annual and/or triennial test.
 Self Report? NO Classification: Moderate

F. Environmental audits.

N/A

- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 0609 PST-E
CHIEF OF STAFF'S OFFICE

IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CAMPBELL OIL CO. DBA SHOP &
GO NO. 5
RN102440757

§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-0609-PST-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding CAMPBELL OIL CO. dba Shop & Go No. 5 ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE chs. 5, 7, and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a convenience store with sales of gasoline at 2035 Highway 96 Bypass in Silsbee, Hardin County, Texas (the "Station").
2. The Respondent's three underground storage tanks ("USTs") are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission. The Station consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about August 18, 2007 and April 1, 2008.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Six Thousand One Hundred One Dollars (\$6,101) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Hundred Fifty-Six Dollars (\$156) of the administrative penalty and One Thousand Two Hundred Twenty Dollars (\$1,220) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Four Thousand Seven Hundred Twenty-Five Dollars (\$4,725) of the administrative penalty shall be payable in 35 monthly payments of One Hundred Thirty-Five Dollars (\$135) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Station:
 - a. Upgraded the Stage II equipment to onboard refueling vapor recovery ("ORVR") compatible systems on September 6, 2007; and
 - b. Submitted documentation verifying installation of swivel adapters on the dry breakaways and fill ports on April 21, 2008.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Station, the Respondent is alleged to have:

1. Failed to upgrade the Stage II equipment to ORVR compatible systems, in violation of 30 TEX. ADMIN. CODE § 115.242(1)(C) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 29, 2007.
2. Failed to maintain the Stage II equipment in proper operating condition, as specified by the manufacturer and/or any applicable California Air Resources Board Executive Order and free of defects that would impair the effectiveness of the system, in violation of 30 TEX. ADMIN. CODE § 115.242(3)(A) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 11, 2008. Specifically, the swivel adapters were not installed on the dry break or the fill ports.
3. Failure to secure the Stage II equipment in a manner to prevent tampering, in violation of 30 TEX. ADMIN. CODE § 115.242(8) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 11, 2008.
4. Failed to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with Stage II equipment, in violation of 30 TEX. ADMIN. CODE § 115.242(9) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 11, 2008.
5. Failed to verify proper operation of the Stage II equipment at least once every 12 months and the Stage II vapor space manifolding and dynamic back pressure at least once every 36 months or upon major system replacement or modification, whichever occurs first, in violation of 30 TEX. ADMIN. CODE § 115.245(2) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on February 11, 2008. Specifically, the Stage II annual and triennial system compliance testing had not been conducted.
6. Failed to notify the agency of any change or addition within 30 days from the date of the occurrence of the change or addition, or within 30 days from the date on which the owner or operator first became aware of the change or addition, in violation of 30 TEX. ADMIN. CODE § 334.7(d)(3), as documented during an investigation conducted on February 11, 2008. Specifically, the registration was not updated to reflect the correct tank operator information.
7. Failed to pay outstanding UST fees and associated late fees for TCEQ Financial Account No. 0017662U for fiscal years 2002 through 2006, in violation of 30 TEX. ADMIN. CODE § 334.22(a) and TEX. WATER CODE § 5.702, as documented during a record review conducted on April 10, 2008.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: CAMPBELL OIL CO. dba Shop & Go No. 5, Docket No. 2008-0609-PST-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order;
 - i. Begin maintaining Stage II vapor recovery system in proper operating condition, including but not limited to, securing the Stage II equipment to prevent tampering and posting operating instructions on the front of each gasoline dispensing pump, in accordance with 30 TEX. ADMIN. CODE § 115.242;
 - ii. Conduct the required annual and triennial testing of the Stage II equipment, in accordance with 30 TEX. ADMIN. CODE § 115.245; and
 - iii. Submit payment for outstanding fees, including any associated penalties and interest and with the notation, "CAMPBELL OIL CO. dba Shop & Go No. 5, TCEQ Financial Account No. 0017662U", to the address listed in Paragraph 1 of this section.
 - b. Within 45 days after the effective date of this Agreed Order, submit an amended registration to reflect the correct tank operator information, in accordance with 30 TEX. ADMIN. CODE § 334.7 to:

Registration and Reporting Section
Permitting & Remediation Support Division, MC138
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

- c. Within 60 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Petroleum Storage Tank Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Station operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by

facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

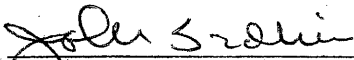
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

CAMPBELL OIL CO. dba Shop & Go No. 5
DOCKET NO. 2008-0609-PST-E
Page 7

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

9/17/2008

Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

7/17/08

Date

Karam Ali

Name (Printed or typed)

Authorized Representative of

CAMPBELL OIL CO. dba Shop & Go No. 5

President

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

